

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In Re TERRORIST ATTACKS on
SEPTEMBER 11, 2001

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) 03 MDL 1570 (RCC)
ECF Case

This document relates to:

Burnett v. Al Baraka Inv. Dev. Corp., 03 CV 9849 (RCC)

Ashton v. Al Qaeda Islamic Army, 02 CV 6977 (RCC)

NOTICE OF SUPPLEMENTAL AUTHORITY

PLEASE TAKE NOTICE that the following decisions, issued after briefing was complete, relate to Defendant The National Commercial Bank's ("NCB") motions to dismiss in *Burnett* and *Ashton*:

1. *Republic of Austria v. Altmann*, 124 S. Ct. 2240 (June 7, 2004), which is discussed at pages 2-3, footnote 3 of NCB's Memorandum of Law in Support of its Motion to Dismiss the *Federal Insurance* action, filed August 30, 2004 (hereinafter, "*Federal Insurance* Mem.").

2. *Kilburn v. Socialist People's Libyan Arab Jamahiriya*, 376 F.3d 1123 (D.C. Cir. July 30, 2004), discussed at *Federal Insurance* Mem., pp. 10-11.

3. *Baker v. Hanvit Bank*, --- F.3d ---, 2004 WL 1764228 (2d Cir. Aug. 6, 2004), discussed at *Federal Insurance* Mem., p. 4 n.5.

Dated: August 30, 2004
Washington, D.C.

Respectfully submitted,

/s/ Ronald S. Liebman

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CERTIFICATE OF SERVICE

I hereby certify that on August 30, 2004, the foregoing Notice of Supplemental Authority was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Ugo Colella
Ugo Colella